

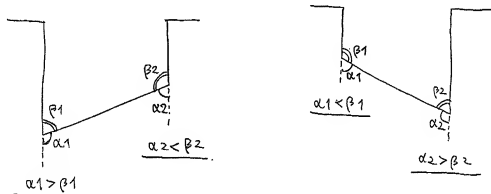
REMARKS

Claims 1-9 are all the claims pending in the application. By the present Amendment, Applicants have added new claims 5-9. It is respectfully submitted that the pending claims define patentable subject matter.

Objection to Drawings

The drawings are objected to because the Examiner alleges that a feature described in the specification, namely wherein a relationship $\alpha_2 < \beta_2$ is satisfied in a region where a relationship $\alpha_1 > \beta_1$ is satisfied, and a relationship $\alpha_2 > \beta_2$ is satisfied in a region where a relationship $\alpha_1 < \beta_1$ is satisfied, is not shown in the drawings (see Office Action, page 2).

Applicants include the below sketches to better explain how an exemplary embodiment satisfies the above relationships.



As shown by the above sketches, when the position of the depth direction position 33bm matches the position of the contact points V1 or V2, a relationship $\alpha_2 < \beta_2$ is satisfied in a region where a relationship $\alpha_1 > \beta_1$ is satisfied, and a relationship $\alpha_2 > \beta_2$ is satisfied in a region where a

relationship $\alpha_1 < \beta_1$. Accordingly, reconsideration and withdrawal of the objection to the drawings is respectfully requested.

Claim Rejections - 35 U.S.C. 112

Claims 3 and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite.

With regard to the rejection under 112, first paragraph, the Examiner alleges that the specification does not describe or illustrate the relationships described in claims 3 and 4. In particular, the Examiner alleges that the angle α_1 and α_2 are always acute, such that $\alpha_1 > \beta_1$ and $\alpha_2 > \beta_2$ cannot be satisfied (see Office Action, page 3). With regard to the rejection under 112, second paragraph, the Examiner alleges these claims are confusing.

In view of the above explanation with regard to the objection to the drawing, Applicants submit that the relationships claimed in claims 3 and 4 are illustrated. Therefore, withdrawal of the rejection under 35 U.S.C. § 112, first paragraph is respectfully requested.

Claim Rejections - 35 U.S.C. 102

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Montagne (U.S. 3,664,402), or alternatively by JP 09-011708 (hereinafter “JP ‘708”), or alternatively by JP 02-212203 (hereinafter “JP ‘203”).

Applicants have herein amended claim 1 to recite, among other features, “a cross sectional shape of the circumferential groove varies in a stepwise manner along the circumferential direction of the tread.” This amendment is supported at least by FIGS. 2a-5 and paragraphs [0054] and [0090].

In each of Montagne, JP '708, and JP '203, the circumferential grooves have a cross section which varies continuously, and thus does not vary in a stepwise manner along the circumferential direction as claimed (see Montagne, FIGS. 1 and 5; JP '708, FIG. 1; and JP '203, FIGS. 2, 3, and 5).

Therefore, claim 1 is patentable over the cited references because none of Montagne, JP '708, or JP '203 disclose or suggest "a cross sectional shape of the circumferential groove varies in a stepwise manner along the circumferential direction of the tread."

Claims 2-4 should be at least by virtue of their dependency on claim 1.

Added Claims

Applicants have herein added claims 5-9 to provide varied protection of the invention. These claims are patentable both by virtue of their dependency and for the features recited therein. No new matter has been added.

Information Disclosure Statement

For informational purposes for the Examiner, Applicants submit herewith a PTO Form SB/08 listing an Office Action dated March 9, 2010 in a counterpart Japanese application, along with an English translation of the Office Action. All of the references cited in the Office Action were previously cited in the Information Disclosure Statement filed on May 1, 2006. The presently listed Office Action is not considered a material reference but is merely for the convenience of the Examiner.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 28, 2010

/Stacey A. Fluhart/

Stacey A. Fluhart

Registration No. 63,726